

COPY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

:

- v. -

:

SUPERSEDING

INDICTMENT

WILSON PAGAN,

:

S20 10 Cr. 392 (CS)

a/k/a "King Gunz,"

:

CHRISTIAN SANCHEZ,

a/k/a "King Chi Chi,"

:

JOSE LAGOS,

a/k/a "King Gordo," and

:

Defendants.

:

- - - - -X

RACKETEERING OFFENSES

COUNT ONE

The Grand Jury charges:

1. At all times relevant to this Indictment, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, were members of a criminal organization (the "Newburgh Latin Kings") whose members and associates engaged in, among other activities, narcotics trafficking, murder, attempted murder, armed robbery, and witness tampering.

2. The Newburgh Latin Kings, including its leadership, its membership, and its associates, constituted an "enterprise," as defined by Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, although not a legal entity. The enterprise constituted an ongoing organization whose members functioned as a continuing

unit for a common purpose of achieving the objectives of the enterprise. At all times relevant to this Indictment, the Newburgh Latin Kings was engaged in, and its activities affected, interstate and foreign commerce.

3. WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, were leaders and members of the enterprise who directed other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise's affairs. PAGAN, CHRISTIAN SANCHEZ, and LAGOS, the defendants, and others known and unknown, participated in the operation and management of the enterprise.

4. The Newburgh Latin Kings was a chapter of the "Almighty Latin King and Queen Nation" (the "Latin Kings"), a nationwide criminal organization that was founded in the 1940s in Chicago, Illinois. The Latin Kings are organized into local chapters by geographic area. At all times relevant to this Indictment, the Newburgh Latin Kings operated in the East End neighborhood of Newburgh, New York.

5. At all times relevant to this Indictment, the Newburgh Latin Kings was governed by a council of five officers, who were referred to as crowns (collectively, the "Crown Council"). Each crown in the Crown Council had a set of responsibilities specific to his position. The First Crown was the overall leader of the Chapter and ran all meetings of the

Newburgh Latin Kings. The Second Crown was the second in command of the Chapter, served as an advisor to the First Crown, and assumed the leadership of the Chapter if the First Crown was absent or incapacitated. The Third Crown was the warlord and chief enforcer of the Chapter, and was responsible for the use of force by the Newburgh Latin Kings, both internally, to enforce discipline among members, and externally, to fight against other gangs such as the Bloods, a prominent rival criminal organization. The Fourth Crown was the treasurer of the organization and was responsible for collecting dues from Chapter members at meetings and spending the Chapter's funds. The Fifth Crown was the secretary of the Newburgh Latin Kings and was responsible for keeping records of business conducted at Chapter meetings and for distributing Latin Kings literature to other members. At certain times relevant to this Indictment, the following individuals held the following positions in the Crown Council of the Newburgh Latin Kings: WILSON PAGAN, a/k/a "King Gunz," and CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," the defendants, held the position of First Crown; JOSE LAGOS, a/k/a "King Gordo," the defendant, held the positions of Third Crown and Fifth Crown.

6. The Crown Council decided who was admitted into the Newburgh Latin Kings, a process that required a prospective member to pass through two periods of initiation. The first stage, called "five alive," was a period in which the prospective member conducted activities with the Newburgh Latin Kings, but

was not allowed to attend Chapter meetings. The second stage, called "probation," was a period in which the prospective member could conduct all Newburgh Latin Kings activities, but had not yet been admitted as a full member. After passing through the two periods of initiation, a prospective member could become a member (or a "full crown") of the Newburgh Latin Kings, if approved by the Crown Council.

7. The Newburgh Latin Kings had regular Chapter meetings at which attendance was mandatory and members were required to pay dues. At the meetings, members of the Newburgh Latin Kings discussed their criminal activities. The Crown Council also discussed any alleged transgressions of Chapter rules by members and, in some instances, directed physical punishments, known as "violations," against members who were determined to have committed transgressions. Furthermore, at the meetings the Newburgh Latin Kings also discussed conflicts with other gangs and, in some instances, the Crown Council used meetings to order attacks on non-members and rival gangs.

8. The Newburgh Latin Kings had multiple criminal objectives, one of which was the operation of drug markets at certain locations in the East End of Newburgh, from which they distributed cocaine base, commonly known as "crack," heroin, powder cocaine, and marijuana, among other drugs. In particular, the Newburgh Latin Kings controlled drug markets in the areas of Benkard Avenue and William Street; Broadway between South Miller and Lutheran Streets; Washington and Clark Streets; and Dubois

and First Streets. All of these drug markets were within a ten-block radius of one another in the East End of Newburgh. The Newburgh Latin Kings allowed other members of the Newburgh Latin Kings to sell crack cocaine, heroin, powder cocaine, marijuana, other forms of narcotics, in areas of Newburgh controlled by the Newburgh Latin Kings. Generally speaking, non-members, outsiders, and rival narcotics dealers were prohibited or prevented from distributing narcotics in areas controlled by the Newburgh Latin Kings.

9. Additional individuals who were not members of the Newburgh Latin Kings conspired with the Newburgh Latin Kings to operate the drug markets in Newburgh. Among other things, these individuals helped supply the Newburgh Latin Kings with crack cocaine, heroin, powder cocaine, marijuana, and otherwise aided the criminal activities of the Newburgh Latin Kings, including narcotics distribution.

10. Members of the Newburgh Latin Kings and their associates committed and conspired, attempted, and threatened to commit acts of violence to protect and expand their drug-trafficking operation, and to protect fellow members of the Newburgh Latin Kings. These acts included beatings, stabbings, and shootings intended either to prevent people not affiliated with the Newburgh Latin Kings from distributing narcotics in areas controlled by the Newburgh Latin Kings, or to dissuade

members of rival gangs, such as the Bloods, from encroaching on territory controlled by the Newburgh Latin Kings.

#### PURPOSES OF THE ENTERPRISE

11. The purposes of the enterprise included the following:

a. Enriching the members and associates of the enterprise through, among other things, the distribution and sale of narcotics, including crack cocaine, powder cocaine, heroin, and marijuana.

b. Preserving and protecting the power, territory, and profits of the enterprise through murder, attempted murder, other acts of violence, and threats of violence.

c. Promoting and enhancing the enterprise and the activities of its members and associates.

#### MEANS AND METHODS OF THE ENTERPRISE

12. Among the means and methods employed by the members and associates of the Newburgh Latin Kings in conducting and participating in the conduct of the affairs of the enterprise were the following:

a. Members and associates of the enterprise committed, conspired, attempted, and threatened to commit acts of violence, including murder, to protect and expand the enterprise's criminal operations, including the distribution of narcotics.

b. Members and associates of the enterprise used threats of violence and physical violence, including murder, against other members and associates to enforce and maintain discipline within the enterprise.

c. Members and associates of the enterprise distributed narcotics.

#### THE RACKETEERING VIOLATION

13. From at least in or about 2007 through in or about September 2012, in the Southern District of New York and elsewhere, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, being persons employed by and associated with the enterprise described above, to wit, the Newburgh Latin Kings, which was engaged in, and the activities of which affected, interstate and foreign commerce, knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, that is, through the commission of the following acts of racketeering:

#### THE PATTERN OF RACKETEERING ACTIVITY

14. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

Racketeering Act One:  
Conspiracy to Murder and Attempted Murder of Victim 1, and the  
Resulting Murder of Jeffrey Zachary

15. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act One:

Conspiracy to Murder Victim 1

a. In or about May 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, knowingly conspired to murder Victim 1 in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of Victim 1, PAGAN, LAGOS, and others known and unknown, agreed together and with each other to engage in or cause the performance of such murder.

Overt Acts

b. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

1. On or about May 6, 2008, PAGAN and LAGOS directed two co-conspirators not charged as defendants herein ("CC-1" and "CC-2") to shoot Victim 1.

2. On or about May 6, 2008, CC-1 and CC-2, and others known and unknown, attempted to shoot Victim 1 in the vicinity of 27 Dubois Street, Newburgh, New York.



Attempted Murder of Victim 1

c. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, intentionally and knowingly attempted to murder, and aided and abetted the attempted murder, of Victim 1 in the vicinity of 27 Dubois Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the intent to cause the death of Victim 1, CC-1 and CC-2, aided and abetted by PAGAN and LAGOS, engaged in conduct that tended to effect the commission of such murder.

Murder of Jeffrey Zachary

d. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, intentionally and knowingly murdered and aided and abetted the murder of Jeffrey Zachary, in the vicinity of 27 Dubois Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00 and 125.25, in that, with the intent to cause the death of Victim 1, CC-1 and CC-2, aided and abetted by PAGAN and LAGOS, caused the death of Zachary.

Racketeering Act Two:  
Conspiracy to Commit Robbery and Attempted Armed Robbery of a  
Suspected Narcotics Dealer at 276 Temple Hill Road, New Windsor,  
New York

16. The defendant named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Two:

Conspiracy to Commit Robbery of 276 Temple Hill Road

a. On or about October 19, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, together with others known and unknown, unlawfully and knowingly conspired to rob a suspected narcotics dealer of narcotics and/or narcotics proceeds at a residence located at 276 Temple Hill Road, New Windsor, New York, in violation of New York Penal Law, Sections 160.15 and 105.15.

Overt Act

b. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

1. On or about October 19, 2009, LAGOS, and others known and unknown, traveled to 276 Temple Hill Road, New Windsor, New York.

Attempted Robbery of 276 Temple Hill Road,  
New Windsor, New York

c. On or about October 19, 2009, JOSE LAGOS, a/k/a "King Gordo," the defendant, unlawfully and knowingly attempted to rob and aided and abetted the attempted robbery of a

suspected narcotics dealer at a residence located at 276 Temple Hill Road, New Windsor, New York, in violation of New York Penal Law, Sections 160.15, 110.00, and 20.00.

Racketeering Act Three:  
Conspiracy to Murder and Attempted Murder of Victim 2

17. The defendant named below committed the following acts, either one of which alone constitutes the commission of Racketeering Act Three:

Conspiracy to Murder Victim 2

a. On or about October 29, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, knowingly conspired to murder Victim 2, in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of Victim 2, LAGOS, and others known and unknown, agreed together and with each other to engage in or cause the performance of such murder.

Overt Acts

b. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

1. On or about October 29, 2009, LAGOS instructed a co-conspirator not named as a defendant herein ("CC-3") to stab Victim 2 in the vicinity of a bodega on Fullerton Street, Newburgh (the "Bodega").

2. On or about October 29, 2009, CC-3, during an attempt to stab Victim 2, stabbed another individual, Victim 3, in the vicinity of the Bodega.

Attempted Murder of Victim 2

c. On or about October 29, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, intentionally and knowingly attempted to murder and aided and abetted the attempted murder of Victim 2 in the vicinity of Fullerton Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the intent to cause the death of Victim 2, LAGOS engaged in conduct that tended to effect the commission of such murder.

Racketeering Act Four:  
Conspiracy to Murder and Attempted Murder of Victim 4

18. The defendant named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Four:

Conspiracy to Murder Victim 4

a. On or about November 6, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, together with others known and unknown, knowingly conspired to murder Victim 4, a member of a rival gang, in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of Victim 4, LAGOS and

others known and unknown, agreed together and with each other to engage in or cause the performance of such murder.

Overt Act

b. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

1. In or about 2009, LAGOS assaulted Victim 4 in Newburgh, New York.

Attempted Murder of Victim 4

c. On or about November 6, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, intentionally and knowingly attempted to murder Victim 4 in Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the intent to cause the death of Victim 4, LAGOS engaged in conduct that tended to effect the commission of such murder.

Racketeering Act Five:  
Attempt to Tamper with an Informant

19. The defendant named below committed the following act, which constitutes the commission of Racketeering Act Five:

Attempt to Tamper with an Informant

a. From in or about November 2009, through on or about January 17, 2010, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the defendant, and others known

and unknown, knowingly did attempt to use physical force and the threat of physical force against a person, with intent to hinder, delay, and prevent the communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a Federal offense, to wit, PAGAN ordered that co-conspirator not named as a defendant herein ("CC-4"), whom PAGAN believed had provided information to law enforcement officers, be assaulted, and another individual not named as a defendant herein stabbed CC-4 as a result of PAGAN's order, in violation of Title 18, United States Code, Sections 1512(a)(2)(C) and 2.

Racketeering Act Six:  
Attempt to Tamper with an Informant

20. The defendant named below committed the following act, which constitutes the commission of Racketeering Act Six:

Attempt to Tamper with an Informant

a. From in or about February 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," the defendant, and others known and unknown, knowingly did attempt to use physical force and the threat of physical force against a person, with intent to hinder, delay, and prevent the communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a Federal offense, to wit, CHRISTIAN SANCHEZ ordered that an individual ("Individual 1"), whom CHRISTIAN SANCHEZ believed had provided information to law

enforcement officers, be assaulted, and another individual not named as a defendant herein attempted to stab Individual 1 as a result of CHRISTIAN SANCHEZ's order, in violation of Title 18, United States Code, Sections 1512(a)(2)(C) and 2.

Racketeering Act Seven:

Conspiracy to Murder and Attempted Murder of Member of Rival Gang, and the Resulting Murder of Jerome Scarlett, a/k/a "Rude Boy"

21. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Seven:

Conspiracy to Murder a Member of a Rival Gang

a. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, knowingly conspired to murder a member of a rival gang in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of a member of a rival gang, CHRISTIAN SANCHEZ and LAGOS, and others known and unknown, agreed together and with each other to engage in or cause the performance of such murder.

Overt Acts

b. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

1. On or about March 11, 2010, CHRISTIAN SANCHEZ and LAGOS directed two co-conspirators not charged herein, Jerome Scarlett, a/k/a "Rude Boy," and John Maldonado, a/k/a "Tarzan," to shoot a member of a rival gang.

2. On or about March 11, 2010, Scarlett, Maldonado, and a co-conspirator not named as a defendant herein ("CC-5") drove to the vicinity of Farrington Street and Lander Street in Newburgh, New York, in search of a member of a rival gang.

Attempted Murder of a Member of a Rival Gang

c. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, intentionally and knowingly attempted to murder, and aided and abetted the attempted murder, a member of a rival gang in the vicinity of Farrington Street and Lander Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00, 110.00, and 125.25, in that, with the intent to cause the death of a member of a rival gang, Jerome Scarlett, a/k/a "Rude Boy," and John Maldonado, a/k/a "Tarzan," aided and abetted by CHRISTIAN SANCHEZ and LAGOS, engaged in conduct that tended to effect the commission of such murder.

Murder of Jerome Scarlett, a/k/a "Rude Boy"

d. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi,"



and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, intentionally and knowingly murdered and aided and abetted the murder of Jerome Scarlett, a/k/a "Rude Boy," in the vicinity of Farrington Street and Lander Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00 and 125.25, in that, with the intent to cause the death of a member of a rival gang, CHRISTIAN SANCHEZ and LAGOS, caused the death of Scarlett.

Racketeering Act Eight:  
Conspiracy to Murder and Murder of John Maldonado, a/k/a "Tarzan"

22. The defendants named below committed the following acts, any one of which alone constitutes the commission of Racketeering Act Eight:

Conspiracy to Murder John Maldonado, a/k/a "Tarzan"

a. On or about March 12, 2010 in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, knowingly conspired to murder John Maldonado, a/k/a "Tarzan," in violation of New York Penal Law, Sections 105.15 and 125.25, in that, with the intent to cause the death of Maldonado, CHRISTIAN SANCHEZ and LAGOS, and others known and unknown, agreed together and with each other to engage in or cause the performance of such murder.

Overt Acts

b. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

1. On or about March 12, 2010, CHRISTIAN SANCHEZ and LAGOS, the defendants, and others known and unknown, agreed to murder Maldonado.

2. On or about March 12, 2010, two co-conspirators not named as defendants herein brought Maldonado to the vicinity of Benkard Avenue and Little Monument Street, Newburgh, New York.

3. On or about March 12, 2010, a co-conspirator not named as a defendant herein shot and killed Maldonado in the vicinity of Benkard Avenue and Little Monument Street, Newburgh, New York.

Murder of John Maldonado, a/k/a "Tarzan"

c. On or about March 12, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, intentionally and knowingly murdered and aided and abetted the murder of John Maldonado, a/k/a "Tarzan," in the vicinity of Benkard Avenue and Little Monument Street, Newburgh, New York, in violation of New York Penal Law, Sections 20.00 and 125.25, in that, with the intent to cause the death of Maldonado,

a co-conspirator not named as a defendant herein, aided and abetted by CHRISTIAN SANCHEZ and LAGOS, caused the death of Maldonado.

Racketeering Act Nine:  
Narcotics Distribution Conspiracy

23. From at least in or about 2007, up to and including in or about February 2011, in the Southern District of New York and elsewhere, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States, in violation of Title 21, United States Code, Section 846.

24. It was a part and an object of the conspiracy that WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

25. The controlled substances involved in the offense were: (1) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A); (2) one kilogram and more of mixtures and substances containing a

detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A); (3) 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A); and (4) 50 kilograms of marijuana, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).

(Title 18, United States Code, Sections 1961 and 1962(c)).

COUNT TWO  
THE RACKETEERING CONSPIRACY

The Grand Jury further charges:

26. Paragraphs 1 through 12 of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

27. From at least in or about 2007 through in or about September 2012, in the Southern District of New York and elsewhere, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, being persons employed by and associated with the enterprise described in Paragraphs 1 through 12 of Count One of this Indictment, to wit, the Newburgh Latin Kings, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise, through a pattern of

rackeeteering activity involving state offenses under the following provisions of state law:

a. murder, conspiracy to commit murder, attempted murder, and aiding and abetting murder, chargeable under New York Penal Law, Sections 125.25, 110.00, 105.15, and 20.00; and

b. robbery, conspiracy to commit robbery, attempted robbery, and aiding and abetting robbery, chargeable under New York Penal Law, Sections 160.15, 110.00, 105.15, and 20.00; and

multiple acts indictable under the following provisions of federal law:

c. Title 18, United States Code, Sections 1512(a)(2)(C) and 2 (attempting to tamper with an informant and aiding and abetting tampering with an informant); and

d. Title 18, United States Code, Section 1951 and 2 (robbery, attempted robbery, and aiding and abetting robbery); and

multiple acts involving the distribution of, possession with intent to distribute, and attempt and conspiracy to distribute controlled substances, in violation of Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(A), 841(b)(1)(B), 841(b)(1)(C), 841(b)(1)(D), and 846.

28. It was a part of the conspiracy that each defendant agreed that a conspirator would commit at least two

acts of racketeering in the conduct of the affairs of the enterprise.

(Title 18, United States Code, Section 1962(d).)

COUNT THREE  
CONSPIRACY TO COMMIT MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

29. The Newburgh Latin Kings, as described in paragraphs 1 through 12 of Count One of this Indictment, which are realleged and incorporated by reference as though fully set forth herein, constituted an enterprise, as that term is defined in Title 18, United States Code, Section 1959(b)(2), that is, an association in fact of individuals engaged in, and the activities of which affected, interstate and foreign commerce.

30. The Newburgh Latin Kings, through its members and associates, engaged in racketeering activity, as that term is defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), that is, acts involving murder and attempted murder, in violation of New York Penal Law, attempted robbery, in violation of New York Penal Law and Title 18, United States Code, Section 1951, attempted tampering with an informant, in violation of Title 18, United States Code, Section 1512, and narcotics distribution, in violation of Title 21, United States Code, Sections 841 and 846.

31. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown,

as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder Victim 1, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT FOUR  
ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

32. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

33. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly attempted to murder an individual, and aided and abetted the same, to wit, PAGAN and LAGOS directed CC-1 and CC-2 to kill Victim 1, and CC-1 and CC-2 attempted to kill

Victim 1 in the vicinity of 27 Dubois Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(5) and 2.)

COUNT FIVE  
MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

34. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

35. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly, murdered, and aided and abetted the murder of, Jeffrey Zachary, in the vicinity of 27 Dubois Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 20.00.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT SIX  
CONSPIRACY TO COMMIT ASSAULT WITH A DANGEROUS WEAPON IN AID OF  
RACKETEERING ACTIVITY

The Grand Jury further charges:



36. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

37. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly conspired to assault members of a rival gang with a dangerous weapon, PAGAN and LAGOS directed CC-1 and CC-2 to shoot Victim 1, and CC-1 and CC-2 attempted to shoot Victim 1 in the vicinity of 27 Dubois Street, Newburgh, New York, in violation of New York Penal Law, Sections 120.05 and 105.15.

(Title 18, United States Code, Section 1959(a)(6).)

COUNT SEVEN  
CONSPIRACY TO COMMIT ASSAULT WITH A DANGEROUS WEAPON IN AID OF  
RACKETEERING ACTIVITY

The Grand Jury further charges:

38. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

39. On or about November 1, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the

defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly conspired to assault members of a rival gang with a dangerous weapon, to wit PAGAN ordered that CC-4 bring a gun to assist in an altercation with members of associates of rival gang, in violation of New York Penal Law, Sections 120.05 and 105.15.

(Title 18, United States Code, Section 1959(a)(6).)

COUNT EIGHT  
CONSPIRACY TO ASSAULT WITH A DANGEROUS WEAPON IN AID OF  
RACKETEERING ACTIVITY

The Grand Jury further charges:

40. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

41. On or about May 8, 2009, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above,

intentionally and knowingly assaulted an individual with a dangerous weapon, to wit, PAGAN instructed individuals not named as defendants herein to accompany a co-conspirator not named as a defendant herein ("CC-7") to confront members of a rival gang, and CC-7 and other individuals went to the vicinity of Beacon Street, Newburgh, New York, where CC-7 fired shots at members of the rival gang, in violation of New York Penal Law, Sections 120.05 and 105.15.

(Title 18, United States Code, Section 1959(a)(6).)

COUNT NINE  
CONSPIRACY TO COMMIT MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

42. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

43. On or about October 29, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly conspired to murder Victim 2, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT TEN  
ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

44. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

45. On or about October 29, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly attempted to murder an individual, and aided and abetted the same, to wit, LAGOS instructed CC-3 to stab Victim 2, and CC-3, during an attempt to stab Victim 2, stabbed Victim 3 in the vicinity of Fullerton Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(5) and 2.)

COUNT ELEVEN  
CONSPIRACY TO ASSAULT WITH A DANGEROUS WEAPON IN AID OF  
RACKETEERING ACTIVITY

The Grand Jury further charges:

46. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

47. On or about October 29, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly conspired to assault an individual with a dangerous weapon, and such assault resulted in serious bodily injury to that individual, to wit, LAGOS instructed CC-3 to stab Victim 2 and CC-3, during an attempt to stab Victim 2, stabbed Victim 3 in the vicinity of Fullerton Street, Newburgh, New York, in violation of New York Penal Law, Sections 120.05 and 105.15.

(Title 18, United States Code, Section 1959(a)(6).)

COUNT TWELVE  
ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

48. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

49. On or about November 6, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings,

and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly attempted to murder an individual, and aided and abetted the same, to wit, LAGOS attempted to kill Victim 4 in the vicinity of Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(5) and 2.)

COUNT THIRTEEN  
ASSAULT WITH A DANGEROUS WEAPON IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

50. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

51. On or about November 6, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon, and such assault resulted in serious bodily injury to that individual, to wit, LAGOS and other individuals assaulted Victim 4 in the vicinity of Newburgh, New York, during

which assault a co-conspirator of LAGOS stabbed Victim 4, in violation of New York Penal Law, Section 120.05.

(Title 18, United States Code, Section 1959(a)(3) and 2.)

COUNT FOURTEEN  
ASSAULT WITH A DANGEROUS WEAPON IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

52. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

53. From in or about November 2009 through on or about January 17, 2010, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual with a dangerous weapon, and such assault resulted in serious bodily injury to that individual, to wit, PAGAN ordered that CC-4, whom PAGAN believed had provided information to law enforcement officers, be assaulted, and a co-conspirator not named as a

defendant herein stabbed CC-4 as a result of PAGAN's order, in violation of New York Penal Law Section 120.05.

(Title 18, United States Code, Sections 1959(a)(3) and 2.)

COUNT FIFTEEN  
ATTEMPTED ASSAULT WITH A DANGEROUS WEAPON IN AID OF RACKETEERING  
ACTIVITY

The Grand Jury further charges:

54. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

55. From in or about February 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," the defendant, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly attempted to assault an individual with a dangerous weapon, to wit, CHRISTIAN SANCHEZ ordered that Individual 1, whom CHRISTIAN SANCHEZ believed had provided information to law enforcement officers, be assaulted, and another individual not named as a defendant herein attempted to stab Individual 1 as a result of CHRISTIAN SANCHEZ's order, in violation of New York Penal Law, Sections 120.05 and 110.00.

(Title 18, United States Code, Sections 1959(a)(6) and 2.)



COUNT SIXTEEN  
CONSPIRACY TO COMMIT MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

56. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

57. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly conspired to a member of a rival gang, in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Sections 1959(a)(5).)

COUNT SEVENTEEN  
ATTEMPTED MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

58. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

59. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others

known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly attempted to murder an individual, and aided and abetted the same, to wit, CHRISTIAN SANCHEZ and LAGOS directed John Maldonado, a/k/a "Tarzan," and Jerome Scarlett, a/k/a "Rude Boy," to kill a member of a rival gang, and Maldonado and Scarlett attempted to kill a member of a rival gang in the vicinity of Farrington Street and Lander Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 110.00.

(Title 18, United States Code, Sections 1959(a)(5) and 2.)

COUNT EIGHTEEN  
MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

60. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

61. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the

purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly murdered, and aided and abetted the murder of, Jerome Scarlet, a/k/a "Rude Boy," in the vicinity of Farrington Street and Lander Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 20.00.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT NINETEEN  
CONSPIRACY TO COMMIT ASSAULT WITH A DANGEROUS WEAPON IN AID OF  
RACKETEERING ACTIVITY

The Grand Jury further charges:

62. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

63. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly conspired to assault a member of a rival gang with a dangerous weapon, to wit, CHRISTIAN SANCHEZ and LAGOS directed John Maldonado, a/k/a "Tarzan," and Jerome Scarlett, a/k/a "Rude Boy,"

to shoot at a member of a rival gang in the vicinity of Farrington Street and Lander Street, Newburgh, New York, in violation of New York Penal Law, Sections 120.05 and 105.15.

(Title 18, United States Code, Sections 1959(a)(6).)

COUNT TWENTY  
CONSPIRACY TO COMMIT MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

64. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

65. On or about March 12, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, knowingly conspired to murder John Maldonado, a/k/a "Tarzan," in violation of New York Penal Law, Sections 125.25 and 105.15.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT TWENTY-ONE  
MURDER IN AID OF RACKETEERING ACTIVITY

The Grand Jury further charges:

66. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

67. On or about March 12, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, as consideration for the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly murdered, and aided and abetted the murder of, John Maldonado, a/k/a "Tarzan," in the vicinity of Benkard Avenue and Little Monument Street, Newburgh, New York, in violation of New York Penal Law, Sections 125.25 and 20.00.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT TWENTY-TWO  
ASSAULT WITH A DANGEROUS WEAPON IN AID OF RACKETEERING

The Grand Jury further charges:

68. Paragraphs Twenty-Nine and Thirty of Count Three of this Indictment are realleged and incorporated by reference as though fully set forth herein.

69. In or about September 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," the defendant, and others known and unknown, as consideration for

the receipt of, and as consideration for a promise and agreement to pay, a thing of pecuniary value from the Newburgh Latin Kings, and for the purpose of gaining entrance to and maintaining and increasing their positions in the Newburgh Latin Kings, an enterprise engaged in racketeering activity, as described above, intentionally and knowingly assaulted an individual ("Victim 5") with a dangerous weapon, to wit, CHRISTIAN SANCHEZ shot Victim 5 in the leg in the vicinity of Newburgh, New York, in violation of New York Penal Law, Section 120.05.

(Title 18, United States Code, Section 1959(a)(3).)

NARCOTICS OFFENSES

COUNT TWENTY-THREE  
NARCOTICS CONSPIRACY

The Grand Jury further charges:

70. From at least in or about 2007, up to and including in or about February 2011, in the Southern District of New York and elsewhere, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

71. It was a part and an object of the conspiracy that WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, the defendants, and others known and unknown, would and did

distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

72. The controlled substances involved in the offense were: (1) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Section 841(b)(1)(A); (2) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); (3) 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (4) 50 kilograms of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TWENTY-FOUR

The Grand Jury further charges:

73. On or about May 20, 2009, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT TWENTY-FIVE

The Grand Jury further charges:

74. On or about October 21, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C); Title 18, United States Code, Section 2.)

COUNT TWENTY-SIX  
MURDER IN CONNECTION WITH A DRUG CRIME

75. On or about March 12, 2010, in the Southern District of New York and elsewhere, while engaged in an offense punishable under Section 841(b)(1)(A) of Title 21, United States Code, namely, the narcotics conspiracy charged in Count Twenty-Three of this Indictment, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, intentionally and knowingly killed and counseled, commanded, induced, procured, and caused the intentional killing of John Maldonado, a/k/a "Tarzan," and such killing resulted.

(Title 21, United States Code, Section 848(e)(1)(A); Title 18, United States Code, Section 2.)

ROBBERY OFFENSES

COUNT TWENTY-SEVEN  
CONSPIRACY TO COMMIT ROBBERY

The Grand Jury further charges:



76. On or about October 19, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, LAGOS, the defendant, and others known and unknown, agreed to commit a robbery of a suspected narcotics dealer whom they believed possessed narcotics and/or narcotics proceeds at a residence in New Windsor, New York.

Overt Act

77. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about October 19, 2009, LAGOS, and others known and unknown, traveled to the vicinity of 276 Temple Hill Road, New Windsor, New York.

(Title 18, United States Code, Section 1951.)

COUNT TWENTY-EIGHT  
ATTEMPTED ROBBERY

The Grand Jury further charges:

78. On or about October 19, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, and others known and unknown, unlawfully and knowingly did attempt to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would thereby have obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, LAGOS, the defendant, and others known and unknown, attempted to rob a suspected narcotics dealer of narcotics and/or narcotics proceeds at a residence in the vicinity of 276 Temple Hill Road, New Windsor, New York.

(Title 18, United States Code, Sections 1951 and 2.)

FIREARMS OFFENSES

COUNT TWENTY-NINE

The Grand Jury further charges:

79. From at least in or about 2007, up to and including in or about February 2011, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count Twenty-Three of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and

abet the use, carrying, and possession of firearms, to wit, PAGAN, SANCHEZ, and LAGOS used, carried, and possessed firearms in Newburgh, New York, during and in relation to a conspiracy to distribute "crack" cocaine, "powder" cocaine, heroin, and marijuana, which firearms were discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 2.)

COUNT THIRTY

The Grand Jury further charges:

80. From at least in or about 2007, up to and including in or about February 2011, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the racketeering conspiracy charged in Count Two of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, to wit, PAGAN, SANCHEZ, and LAGOS used, carried, and possessed firearms in Newburgh, New York, during and in relation to a conspiracy to participate in the affairs of the Newburgh Latin Kings, which firearms were discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 2.)

COUNT THIRTY-ONE

The Grand Jury further charges:

81. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Three of this Indictment, the attempted murder in aid of racketeering charged in Count Four of this Indictment, the murder in aid of racketeering charged in Count Five of this Indictment, or the conspiracy to commit assault with a dangerous weapon in aid of racketeering charged in Count Six of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged.

(Title 18, United States Code, Sections  
924(c)(1)(A)(iii), 924(c)(1)(C)(i), and 2.)

COUNT THIRTY-TWO

The Grand Jury further charges:

82. On or about May 6, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Three of this Indictment, the attempted murder in aid of racketeering charged in Count Four of

this Indictment, the murder in aid of racketeering charged in Count Five of this Indictment, or the conspiracy to commit assault with a dangerous weapon in aid of racketeering charged in Count Six of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course of those crimes did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, PAGAN and LAGOS caused the death of Jeffrey Zachary by aiding and abetting the discharge of a .38 caliber Smith and Wesson revolver at Zachary.

(Title 18, United States Code, Sections 924(j)(1),  
924(c)(1)(C)(i) and 2.)

COUNT THIRTY-THREE

The Grand Jury further charges:

83. On or about November 1, 2008, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the defendant, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit assault with a dangerous weapon in aid of racketeering charged in Count Seven of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged.

(Title 18, United States Code, Sections  
924(c)(1)(A)(iii), 924(c)(1)(C)(i), and 2.)

COUNT THIRTY-FOUR

The Grand Jury further charges:

84. On or about May 8, 2009, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the conspiracy to commit assault with a dangerous weapon in aid of racketeering charged in Count Eight of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged.

(Title 18, United States Code, Sections  
924(c)(1)(A)(iii), 924(c)(1)(C)(i), and 2.)

COUNT THIRTY-FIVE

The Grand Jury further charges:

85. On or about October 19, 2009, in the Southern District of New York, JOSE LAGOS, a/k/a "King Gordo," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the conspiracy to commit robbery charged in Count Twenty-Seven of this Indictment or the attempted robbery charged in Count Twenty-Eight of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a

firearm, and did aid and abet the use, carrying, and possession of a firearm, which was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii), 924(c)(1)(C)(i), and 2.)

COUNT THIRTY-SIX

The Grand Jury further charges:

86. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Sixteen of this Indictment, the attempted murder in aid of racketeering charged in Count Seventeen of this Indictment, the murder in aid of racketeering charged in Count Eighteen of this Indictment, or the conspiracy to assault with a dangerous weapon in aid of racketeering charged in Count Nineteen of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(iii), 924(c)(1)(C)(i), and 2.)

COUNT THIRTY-SEVEN

The Grand Jury further charges:

87. On or about March 11, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi,"

and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Sixteen of this Indictment, the attempted murder in aid of racketeering charged in Count Seventeen of this Indictment, the murder in aid of racketeering charged in Count Eighteen of this Indictment, or the conspiracy to assault with a dangerous weapon in aid of racketeering charged in Count Nineteen of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course of those crimes did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section 1111(a), to wit, CHRISTIAN SANCHEZ and LAGOS caused the death of Jerome Scarlett, a/k/a "Rude Boy," by aiding and abetting the discharge of a firearm in the vicinity of Farrington Street and Lander Street, Newburgh, New York.

(Title 18, United States Code, Sections 924(j)(1),  
924(c)(1)(C)(i) and 2.)

COUNT THIRTY-EIGHT

The Grand Jury further charges:

88. On or about March 12, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in



relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Twenty of this Indictment, or the murder in aid of racketeering charged in Count Twenty-One of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(iii), 924(c)(1)(C)(i), and 2.)

COUNT THIRTY-NINE

The Grand Jury further charges:

89. On or about March 12, 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the conspiracy to commit murder in aid of racketeering charged in Count Twenty of this Indictment, or the murder in aid of racketeering charged in Count Twenty-One of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, and in the course of those crimes did cause the death of a person through the use of a firearm, which killing is murder as defined in Title 18, United States Code, Section

1111(a), to wit, CHRISTIAN SANCHEZ and LAGOS caused the death of John Maldonado, a/k/a "Tarzan," by aiding and abetting the discharge of a firearm at Maldonado, in the vicinity of Little Monument Street and Benkard Avenue, Newburgh, New York.

(Title 18, United States Code, Sections 924(j)(1),  
924(c)(1)(C)(i) and 2.)

COUNT FORTY

The Grand Jury further charges:

90. In or about September 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the assault with a dangerous weapon in aid of racketeering charged in Count Twenty-Two of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crimes, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, which was discharged.

(Title 18, United States Code, Sections  
924(c)(1)(A)(iii), 924(c)(1)(C)(i), and 2.)

OBSTRUCTION OF JUSTICE OFFENSES

COUNT FORTY-ONE

ATTEMPTED TAMPERING WITH AN INFORMANT

The Grand Jury further charges:

91. From in or about November 2009, through on or about January 17, 2010, in the Southern District of New York, WILSON PAGAN, a/k/a "King Gunz," the defendant, and others known

and unknown, knowingly did attempt to use physical force and the threat of physical force against a person, with intent to hinder, delay, and prevent the communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a Federal offense, to wit, PAGAN ordered that CC-4, whom PAGAN believed had provided information to law enforcement officers, be assaulted, and a co-conspirator not named as a defendant herein stabbed CC-4 as a result of PAGAN's order.

(Title 18, United States Code, Sections 1512(a)(2)(C) and 2.)

COUNT FORTY-TWO  
ATTEMPTED TAMPERING WITH AN INFORMANT

The Grand Jury further charges:

92. In or about February 2010, in the Southern District of New York, CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," the defendant, and others known and unknown, knowingly did attempt to use physical force and the threat of physical force against a person, with intent to hinder, delay, and prevent the communication to a law enforcement officer and judge of the United States of information relating to the commission and possible commission of a Federal offense, to wit, CHRISTIAN SANCHEZ ordered that Individual 1, whom CHRISTIAN SANCHEZ believed had provided information to law enforcement officers, be assaulted, and another individual not named as a defendant herein

attempted to stab Individual 1 as a result of CHRISTIAN SANCHEZ's order.

(Title 18, United States Code, Sections 1512(a)(2)(C) and 2.)

FORFEITURE ALLEGATION AS TO COUNTS ONE AND TWO

93. The allegations contained in Counts One and Two of this Indictment are hereby repeated, realleged, and incorporated by reference herein as though fully set forth at length for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 1963, and Title 28, United States Code, Section 2461(c).

94. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, are hereby notified that, upon conviction of the violation of Title 18, United States Code, Section 1962, as charged in Counts One and Two of this Indictment, the defendants shall forfeit, pursuant to Title 18, United States Code, Section 1963:

a. all interests acquired and maintained in violation of Title 18, United States Code, Section 1962;

b. all interests in, securities of, claims against, and property and contractual rights of any kind affording a source of influence over, the enterprise named and described herein which the defendant established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and

c. all property constituting and derived from

proceeds obtained, directly and indirectly, from racketeering activity in violation of Title 18, United States Code, Section 1962.

95. Pursuant to Title 18, United States Code, Section 1963(m) and Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, shall forfeit substitute property up to the value of the property described in the previous paragraph if that property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third party;
  - c. has been placed beyond the jurisdiction of this Court;
  - d. has been substantially diminished in value;
- or
- e. has been commingled with other property which cannot be divided without difficulty.

(Title 18, United States Code, Section 1963;  
Title 28, United States Code, Section 2461(c); and  
Rule 32.2(a), Federal Rules of Criminal Procedure.)

FORFEITURE ALLEGATION AS TO COUNTS TWENTY-THREE THROUGH TWENTY-FIVE

96. As a result of committing the controlled substance offenses alleged in Counts Twenty-Three through Twenty-Five of this Indictment, WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi Chi," and JOSE LAGOS, a/k/a "King Gordo," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts Twenty-Three through Twenty-Five of this Indictment, including but not limited to a sum in United States currency representing the amount of all proceeds obtained as a result of the controlled substance offenses alleged in Counts Twenty-Three through Twenty-Five of the Indictment.

Substitute Asset Provision

97. If any of the above-described forfeitable property, as a result of any act or omission of the defendants —

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of  
the Court;

(d) has been substantially diminished in value;  
or

(e) has been commingled with other property which  
cannot be subdivided without difficulty;



it is the intention of the United States, pursuant to 21 U.S.C.  
§ 853(p), to seek forfeiture of any other property of the  
defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FORFEITABLE

Preet Bharara  
PREET BHARARA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

WILSON PAGAN, a/k/a "King Gunz," CHRISTIAN SANCHEZ, a/k/a "King Chi  
Chi," and JOSE LAGOS, a/k/a "King Gordo,"

Defendants.

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INDICTMENT

S20 10 Cr. 392 (CS)

(18 U.S.C. §§ 2, 924(c), 924(j), 1512, 1951, 1959(a)(1), (a)(3),  
(a)(5), (a)(6), 1961, 1962, and 21 U.S.C. §§ 812, 841(a)(1),  
841(b)(1)(A), 841(b)(1)(B), 841(b)(1)(C), 846, 848, 856).)

PREET BHARARA  
United States Attorney.

A TRUE BILL

